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November 4, 2005

Hon. Roianne Houlton Conner
250 Winton Blount Loop
Montgomery, AL 36117

VIA FAX # 215-7778

RE: Subpoena for Salum Trial

Dear Roianne:

I received your letter of November 4, 2005. Please be assured that the subpoena to you is certainly not the purpose of keeping you out of the courtroom.


I can understand why you might want to be in the courtroom, which makes it difficult to understand why you would be planning to leave Wednesday morning for North Carolina. I recall in our civil case receiving a letter from you about a deposition conflict, due to your needing to be in North Carolina. I guess you have a continuing need to be there.

As you know, we expect Raymond David DeJohn to be a witness in the criminal case, either in the prosecution's case-in-chief, or called as an adverse witness for the defense. There may be certain factual situations, not subject to attorney-client privilege that DeJohn may not know about, or to which he may testify incorrectly, and you may be needed to clear up the same. As you know, federal rules permit a party to impeach his own witness, especially an adverse witness.

Aside from the fact that you can confirm the filing of the two lawsuits for DeJohn against my client and multiple other parties, you can also confirm the conversation you had, apparently in open court, with Steve Feaga, in which you asked him if it was okay as to the timing and filing of your first lawsuit. You could also confirm certain qualities of personality concerning Raymond David DeJohn, and certain historical events, in which he has been involved, also reflecting on the degree to which DeJohn has been a victim.

I therefore cannot release you from my subpoena, and trust and hope the you understand. I apologize for any inconvenience.

Sincerely,



Julian L. McPhillips, Jr.

JLMcP/dbp